

# STAFFORD COUNTY SCHOOL BOARD

## Agenda Consideration

<b>TOPIC:</b>	Proposed Amendment Policy 7-51.1	<b>ITEM NO:</b>	6
<b>PREPARED BY:</b>	Jean S. Murray, Superintendent	<b>MEETING:</b>	August 6 <sup>th</sup> , 2004
	Daryl A. Nelson, Executive Director of Administrative & Legal Services	<b>ACTION DATE:</b>	August 24 <sup>th</sup> , 2004

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### **ACTION REQUESTED BY THE SUPERINTENDENT:**

That the School Board receive for its first reading and consideration the attached proposed amendment to Policy 7-51.1, Students with Human Immunodeficiency Virus (HIV).

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### **KEY POINTS:**

The Virginia Code requires that each local school board adopt policies for school attendance for children with Human Immunodeficiency Virus. The Virginia Department of Education and the Virginia Department of Health recently adopted new guidelines which must be incorporated in the board policies. The attached proposed amendment to Policy 7-51.1 incorporates the changes made in state guidelines.

**SCHOOL BOARD GOAL:** (Goal 3) Encourage parents and the community to increase their interest and involvement in schools.

**FUNDING SOURCE:** N/A

**AUTHORIZATION REFERENCE:** Bylaw 1-32, Policy Adoption, Amendment and Suspension

Students with Human Immunodeficiency Virus (HIV)**A. Purpose**

~~To establish a policy regarding students who are infected with the Human Immunodeficiency Virus (HIV).~~

**B. Policy**

It is the policy of the Stafford County School Board to determine in a ~~timely~~ reasonably prompt manner the appropriate instructional program and educational setting for students who are infected with the Human Immunodeficiency Virus (HIV) or who have AIDS. The School Board recognizes its dual obligation to protect the rights of individual students infected with HIV or who have AIDS and to provide a safe environment for students, staff, and the public. Since it is known that HIV is not transmitted through casual contact, any student who is HIV infected will continue education in a regular classroom assignment unless the health status ~~requires otherwise~~ interferes significantly with performance. The School Board shall provide an education for all eligible school-age children in an educational setting ~~deemed~~ determined to be appropriate. It is the intent of the School Board to follow the recommendations of the U.S. Centers for Disease Control and the Virginia Department of Health that most HIV-infected children be allowed to attend school in an unrestricted setting and that decisions regarding school attendance be based on the medical condition of each child and the expected type of interaction with others in that setting.

**C. A. Procedures**

## 1. Identification and Review

~~g.~~ a. All students are expected to be in compliance with the immunizations schedule required by Virginia Code §22.1-271.2(c); however, some required immunizations may be harmful to the health of a student who is HIV infected or has Acquired Immunodeficiency Syndrome (AIDS). Students who are HIV infected or have AIDS may ~~get~~ receive an exemption from complying with the requirements as permitted by Virginia Code §22.1-271.2(c). School personnel will cooperate to the extent permitted by law with public health personnel in completing and coordinating immunization data, exemptions, and exclusions, including immunization forms.

~~a.~~ b. Mandatory screening for HIV infection is not warranted as a condition for school entry. An adult student or the parent(s)/guardian(s) of a Stafford County Public Schools student who has a medical diagnosis by a physician as having an HIV-related condition is expected to notify the principal that such a condition exists.

~~b.~~ c. A principal who has reason to believe that a student is infected with HIV or who has AIDS shall immediately notify in writing the Assistant Superintendent for ~~Administration and Personnel~~ Instruction and the Director of Special Programs who will be responsible for establishing a health review team within three (3) working days after receipt of notice. The Health Review Team shall include the child's parent(s)/guardian(s); a representative of the Stafford County Public Schools, designated by the superintendent, who will serve as the chairperson; the student's physician if requested by the parent ~~where appropriate~~; and any other persons the superintendent deems necessary. The Health Review Team shall meet within five (5) working days regarding the HIV-infected student's condition and make a recommendation to the Division Superintendent regarding an

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appropriate educational setting and instructional program.

~~e.~~ d. The Division Superintendent shall make a decision as to the appropriate educational placement and instructional program within five (5) working days after receiving the recommendation of the Health Review Team. ~~The recommendation regarding the proper instructional program and educational setting for the student will be based upon the infected student's behavior, neurological development, physical condition, and the expected type of interaction with others. The latest edition of the Centers for Disease Control guidelines will be used in reviewing each case.~~ In considering the matter the Superintendent will consult with the individual's family and physician or a health official from the Stafford County Health Department to determine whether the student is well enough to stay in school. If a change in the student's program is necessary, the Superintendent, or designee, family, and physician or health official will develop an individual plan which is medically, legally, and educationally sound. If the HIV student is receiving special education services, the services will be in agreement with established policies.

~~d.~~ e. The Division Superintendent will notify in writing the student's parent(s)/guardian(s) of the Superintendent's decision ~~in writing~~ within five (5) days after receiving the Health Review Team recommendation. The student's parent(s)/guardian(s) may appeal the Division Superintendent's decision for restriction or exclusion to the School Board. Notice of such appeal must be received by the Division Superintendent in writing within ten (10) calendar days of the date of the Division Superintendent's decision. Failure to request an appeal within the specified time ~~will~~ shall constitute a waiver of the right to an appeal to the School Board.

~~e.~~ f. ~~At the time of the decision by the Division Superintendent, an appropriate educational setting will be established to the degree considered safe.~~ A student excluded from school by reason of the Division Superintendent's decision shall be provided an appropriate educational program consistent with his/her illness. As appropriate, instructional resources will be made available to the student. Other agencies will be contacted in an effort to provide a full range of services to the student. If the student is receiving special education services, the services provided will be in agreement with established policies.

~~f.~~ g. ~~The number of personnel aware of the student's condition shall be kept at the minimum needed to assure such confidentiality. Student information about HIV infection will be shared *only* with the written consent of the parent(s)/guardian(s). Persons involved in the implementation and monitoring of this policy shall respect the student's right to privacy, including the maintenance of confidential records. All persons privileged with any medical information about HIV infected students shall be required to treat all proceedings, discussions, and documents as confidential information. Individuals will be informed of the situation on a "need to know" basis with written consent of the parent/guardian.~~

**D. B. Instruction and Support**

1. To ensure implementation of the proper standard operating procedures for all body fluids, the guidelines from the Virginia Department of Health will be followed. Inservice training will be provided to all school personnel. Universal precautions for handling blood will be implemented within the school

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setting and on buses. Training will include local division policies; etiology, transmission, prevention, and risk reduction of HIV; standard operating procedures for handling blood and body fluids; and community resources available for information and referral. Periodic updates will be supplied through inservice or memoranda. ~~The guidelines from the Virginia Department of Health will be followed for the handling of body fluids.~~

2. Comprehensive and age-appropriate instruction for all students on the principal modes by which HIV is spread and the best methods for the reduction and prevention of AIDS are required to encourage the support and protection of the HIV infected student. To enhance school attendance, the school division will collaborate with public and private organizations in the provision of support services to HIV infected students.

**C. Guidelines of the Virginia Department of Health Guidelines for Preventing Bloodborne infections in schools**

“Because the blood and certain body fluids (semen and vaginal secretions) of all persons must be considered potentially infectious for human immunodeficiency virus (HIV), hepatitis B and C, and other organisms, it is important to follow precautions. Fortunately, in the case of schools, one need only be concerned about blood. Universal precautions do not apply to feces, nasal secretions, saliva, sputum, sweat, tears, urine, and vomitus unless they contain blood. Despite the extremely remote risk that exposure of skin to blood could result in infection (the unabraded skin is an excellent defense against bloodborne organisms), the following precautions should be adhered to without any exceptions:

1. Those involved in cleaning surfaces contaminated with blood or rendering first aid to bleeding children should wear disposable gloves and avoid exposure of open skin lesions and mucous membranes to blood.
2. Surfaces contaminated with blood should be promptly cleaned with household bleach (1 part bleach to 9 parts water) using disposable towels and tissues.
3. Hands must be washed after gloves are removed.
4. If advertent contamination of the skin with blood were to occur, all that is required is thorough washing of the contaminated areas with soap and water.”

**Legal Reference:** Through June 30, 2005

Code of Va., §22.1-271.3. Guidelines for school attendance for children infected with human immunodeficiency virus; school personnel training required; notification of school personnel in certain cases. —A. The Board of Education, in cooperation with the Board of Health, shall develop, and revise as necessary, model guidelines for school attendance for children infected with human immunodeficiency virus. The first such guidelines shall be completed by December 1, 1989. The Board shall distribute copies of these guidelines to each division superintendent and every school board member in the Commonwealth immediately following completion.

B. Each school board shall, by July 1, 1990, adopt guidelines for school attendance for children with human immunodeficiency virus. Such guidelines shall be consistent with the model guidelines for such school attendance developed by the Board of Education.

C. Every school board shall ensure that all school personnel having direct contact with students receive appropriate training in the etiology, prevention, transmission modes, and effects of blood-borne pathogens, specifically, hepatitis B and human immunodeficiency viruses or any other infections that are the subject of regulations promulgated by the Safety and Health Codes Board of the Virginia

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Occupational Safety and Health Program within the Department of Labor and Industry.

D. Upon notification by a school employee who believes he has been involved in a possible exposure-prone incident which may have exposed the employee to the blood or body fluids of a student, the division superintendent shall contact the local health director who, upon immediate investigation of the incident, shall determine if a potentially harmful exposure has occurred and make recommendations, based upon all information available to him, regarding how the employee can reduce any risks from such exposure. The division superintendent shall share these recommendations with the school employee. Except as permitted by §32.1-45.1, the division superintendent and the school employee shall not divulge any information provided by the local health director regarding such student. The information provided by the local health director shall be subject to any applicable confidentiality requirements set forth in Chapter 2 (§32.1-35 et. seq.) of Title 32.1. (2003)

Memo No. 32, of Superintendent of Public Instruction, February 13, 2004.

Adopted by School Board: October 22, 1991

Amended by School Board: